

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs,

v.

WALKER RIVER IRRIGATION  
DISTRICT, *et al.*,

Defendants.

Case No. 3:73-cv-00128-MMD-WGC

ORDER

The United States Court of Appeals for the Ninth Circuit affirmed in part, vacated in part, and remanded the order and judgment of this Court (ECF Nos. 814, 815). (ECF No. 904.) Specifically, the Ninth Circuit held that Mineral County “may pursue its public trust claim to the extent that the County seeks remedies that would not involve a reallocation of such rights.” (*Id.* at 21.)

It is therefore ordered that the Court’s order granting the motion to dismiss (ECF No. 814) is vacated in part, only to the extent necessary to permit Mineral County to “pursue its public trust claim to the extent that the County seeks remedies that would not involve a reallocation of” [...] “water rights adjudicated under the Decree and settled under the doctrine of prior appropriation.” (ECF No. 904 at 21.)

It is further ordered that the judgment (ECF No. 815) is vacated.

DATED THIS 22<sup>nd</sup> Day of March 2021.



MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE